



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Jonathan R. **MATIAS**

Group Art Unit: 1615

Application No.: 10/729,047

Filed: December 5, 2003

For: **NON-TOXIC COATING COMPOSITION, METHODS OF USE THEREOF AND  
ARTICLES PROTECTED FROM ATTACHMENT OF BIOFOULING ORGANISMS**

Attorney Docket No.: 3968.094

Customer Number: 00004288

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.97 and §1.98

**Mail Stop** \_\_\_\_\_

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 56, Applicants hereby notify the U.S. Patent and Trademark Office of the following document for the above-identified application. The document is set forth below is listed on the attached Form PTO-1449. Because the document is a U.S. patent, and the subject application was filed after June 30, 2003, a copy of the document is not enclosed. 1276 Off. Gaz. Pat. Off. 55, 8/5/2003.

U.S. PATENT APPLICATION  
SERIAL NO.: 10/729,047  
INFORMATION DISCLOSURE STATEMENT

ATTY DOCK: 3968.094

1. U.S. Patent No. 5,294,645 A to Doyle E. Chastain et al.,  
issued March 15, 1994, "Using menth-1-en-9-ol to kill  
bacteria, yeast, and fungi."

Document 1 was cited in a Supplementary Search Report,  
which issued in the parallel EP application. A copy of the  
Supplementary Search Report is provided herewith.

Claim 1 and Example L of Document 1 were cited in the  
Search Report as particularly relevant taken alone (X category)  
with respect to claims 1, 2, 5, 6, and 11-17 of the EP  
application. Document 1 is in the English language.

The submission of the listed documents is not intended as  
an admission that any such document constitutes prior art  
against the claims of the present application. Applicant does  
not waive any right to take any action that would be appropriate  
to antedate or otherwise remove any listed document as a  
competent reference against the claims of the present  
application.

Because this Information Disclosure Statement is being  
filed prior to a first Office Action on the merits, no fee is  
believed to be required. However, the Commissioner is hereby  
authorized to charge any additional fees that may be required at  
any time during the prosecution of this application, except for

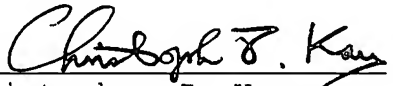
U.S. PATENT APPLICATION  
SERIAL NO.: 10/729,047  
INFORMATION DISCLOSURE STATEMENT

ATTY DOCK: 3968.094

the issue fee, without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.

Applicant respectfully requests that the listed document be considered by the Examiner, made of record in the present application, and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

Respectfully submitted,

  
\_\_\_\_\_  
Christopher J. Kay  
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Dated: **March 23, 2004**

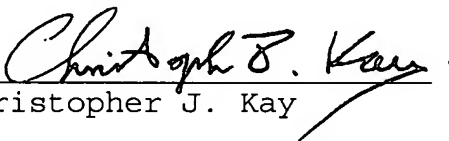
U.S. PATENT APPLICATION  
SERIAL NO.: 10/729,047  
INFORMATION DISCLOSURE STATEMENT

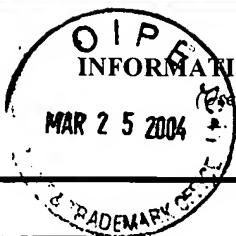
ATTY DOCK: 3968.094

**CERTIFICATE OF MAILING AND AUTHORIZATION TO CHARGE**

I hereby certify that the foregoing INFORMATION DISCLOSURE STATEMENT Form PTO-1449, including one (1) document, for U.S. Application No. 10/666,777 filed December 5, 2003, were deposited in first class U.S. mail, postage prepaid, Mail Stop \_\_\_\_\_, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, **March 23, 2004.**

The Commissioner is hereby authorized to charge any additional fees, which may be required at any time during the prosecution of this application, except for the issue fee, without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.

  
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Christopher J. Kay



## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

3968.094

Application Number

10/729,047

Applicant(s)

Jonathan R. MATIAS

Filing Date

December 5, 200

Group Art Unit

1615

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	D1	5,294,645	03/15/1994	Doyle E. CHASTAIN et al.	514	729	

## FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.